

National Voter Registration Act NVRA/SB 35

Compliance & Implementation by Health and Human Services Agencies

Training Workshop

2013

Prepared by:
County of San Diego
Behavioral Health Services Agency





National Voter Registration Act (NVRA)

➤ The National Voter Registration Act of 1993 (NVRA) was designed to increase the number of registered voters in the United States by requiring many government offices to offer people the opportunity to register to vote.

Goals:

- Enhance voting opportunities.
- Remove the vestiges of discrimination.
- Increase voter registration in underserved communities.

Voter registration agencies include:

- ➤ All offices that provide public assistance.
- All offices that provide state-funded programs primarily engaged in providing services to persons with disabilities.
- Other state and local agencies.







Important Note:

- Mental health agencies have been <u>required</u>, since 1995, to be compliant with NVRA per DMH Notice Nos. 95-19 and 96-03.
- While no special notice was ever issued to Alcohol and Drug (AOD) service providers, the Secretary of State and County Counsel currently agree that San Diego County AOD providers should also comply with NVRA since that target population is also considered disabled.





Secretary of State's Role



Secretary of State (SOS) Debra Bowen is the "Chief Elections Official," and coordinates NVRA activities statewide. Her office:

- Develops NVRA training & education materials
- Collaborates with State oversight agencies
- Posts monthly NVRA data by county
- Ensures that VRA languages are added to the California Online Voter Registration (COVR) form
- Posts Results of SB 35 Reviews on SOS Website: http://www.sos.ca.gov/elections/elections-pub-res.htm
- Assists NVRA Agencies with Compliance
- The SOS may also review an NVRA agency or county elections office for NVRA/SB 35 compliance.
 - Important: Failure to implement the NVRA may subject an agency to legal liability.

NVRA Provisions

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The NVRA requires agencies to offer voter registration services at **intake** and each time a person requests an **address or name change**.

"Voter Registration Services" means:

- Providing a Voter Registration Card (VRC) and a voter preference form;
- Assisting with completion of the VRC and voter preference form;
- Accepting and transmitting completed VRCs to elections officials; and
- Accepting and retaining completed preference forms on file for two years.

IMPORTANT: Assistance with the voter registration card must be provided to an equal extent as any other provider forms.





Restrictions on Influencing Applicants

In providing assistance, staff must not:

- ➤ Seek to influence an applicant's political preference or party registration
- > Discourage an applicant from registering to vote
- ➤ Make an applicant believe registering to vote affects availability of benefits or services







NVRA/SB 35

Voter Preference Form

If you are not registered	ed to vote where you live now, would you like to apply to register to vote here today? (Check One)
Already registered.	I am registered to vote at my current residence address.
Yes.	I would like to register to vote. (Please fill out the attached voter registration form.)
No.	I do not want to register to vote.
	OT CHECK A BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO S TIME. YOU MAY TAKE THE ATTACHED VOTER REGISTRATION FORM TO REGISTER AT ENIENCE.
Applicant Name	Date

Important Notices

- 1. Applying to register or declining to register to vote will **not** affect the amount of assistance that you will be provided by this agency.
- 2. If you would like help in filling out the voter registration form, we will help you. The decision whether to seek or accept help is yours. You may fill out the voter registration form in private.
- 3. If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party preference or other political preference, you may file a complaint with the Secretary of State by calling toll-free (800) 345-VOTE (8683) or you may write to: Secretary of State, 1500 11th Street, Sacramento, CA, 95814. For more information on elections and voting, please visit the Secretary of State's website at www.sos.ca.gov.

01/13 NVRA Voter Preference Form







Decision Whether to Register is Confidential

- Voter preference forms must be kept confidential
- Do not identify your agency's name on the voter registration card unless you have physically completed the card for the registrant







SB 35 (Padilla), Chapter 505, Statutes of 2012

SB 35 codifies NVRA into State law, and requires agencies to:

- Notify the County elections office of each provider's site in the County
- Designate an NVRA Coordinator;
- Train employees annually;
- Offer minority language VRCs as required by federal Voting Rights Act.
 - ➤ San Diego includes Spanish, Chinese, Filipino, and Vietnamese.
- VRCs (available at the ROV), and preference forms (available online), must be available in each language at each office.







The NVRA Coordinator:

- Is responsible for ongoing implementation of the NVRA and SB 35 (such as ordering forms, trainings, and mailing voter registration cards to the County elections office, etc.)
- May be an existing employee Program Managers or designees are the designated NVRA Coordinators.
- If your office has multiple sites, consider a coordinator at each site







Notification

- Voter registration agencies must notify County elections officials where each of its offices or sites are located within the County
- County elections officials will be tracking the voter registration forms that they mail to each site







Annual Training

- Each employee providing voter registration services must complete an annual training on NVRA and SB 35 requirements
- > Training can be incorporated into an existing training
- Training must be based on the Secretary of State's materials
- County election offices are available to assist with trainings







Voter Preference Forms

- A new form is available on the Secretary of State website:
 http://www.sos.ca.gov/elections/nvra/training/voter-preference-forms.htm
- If an applicant does not return the form he/she is still provided a voter registration card
- Per NVRA and DMH requirements, all voter preference forms must be kept for a <u>minimum of two years</u>.
- These documents may be kept in:
 - The client's record,
 - Stored in a separate folder where all voter preference cards are accumulated by calendar year,
 - Or any other method used consistently across each program.
- >At the end of two years, all voter registration materials must be destroyed.







NVRA/SB 35

Voter Registration Card (VRC)









CALIFORNIA VOTER REGISTRATION FORM/FORMULARIO DE INSCRIPCIÓN DE VOTANTES DE CALIFORNIA

SAN DIEGO COUNTY Fill out this form if you are a new voter, have moved or changed your name, or want to change your political party choice. You must be a U.S. citizen and at least 18 years old by the next election to use this form. Use blue or black ink. Print clearly. — Complete east formulario si es un votante nuevo, se mudó o cambió su nambre, o si quiere cambiar su afiliación partidaria. Para utilizar este formulario, debe ser ciodadado de fos Estados floides y bener al menos 18 años de edad en la portima electócio. Use ataz in o egars. Escribe en etta de imperata y de manara clara. Your legal name: First name - Nombre legal: Primer nombre Middle name - Segundo nombre State - Estado Zip - Código postal CA Mailing address - If different from above, or P.O. Box - Domicilio - en caso de que sea diferente del que figura anteriormente o casilla postal U.S. state or foreign country of birth - Lugar de nacimiento en los Estados Unidos o país extranjero 1 9 ocia de conducir de California o tarieta de identificación de California Phone number (optional) - Número de teléfono (opcional) Email (optional) - Dirección de correo electrónico (opcional) Do you want to register with a political party? - ¿Quiere afiliarse a un partido político? Yes, I want to register with a political party (check one): – SI, quiero affiliarme a un partido político (marque uno):

| Américan Independent Párty – | Green Party | — Pasce and Freedom Party – | Republican Party – Partido Independenter Americano | Partido Ivede Par y Labordo Par y Labordo Par y Labordo Party | Partido Pendendrata | Partido Lebetario Party | Partido Lebetario | Par ... Para recibir una boleta de voto por correo en todas las elecciones, coloque sus iniciales aqu Middle initial - Last name - Apellido Previous address where you were registered - Dirección en la que estaba inscrito anteriormente State - Estado Zip - Código postal Previous county - Condado anterior Political party (if any) - Partido político (si corresponde) Are you a U.S. citizen? — ¿Es usted ciudadano de los Estados Unidos?. A "No" answer to either question means you CANNOT register to vote.

Si responde "No" a cualquiera de estas preguntas, NO PUEDE registrarse para votar. Will you be 18 or older by the next election? — ¿Tendrá 18 años de edad o más en la próxima elección? . ☐ Yes—Sí ☐ No Optional - Opcional A Check here if you can be a poll worker. —
Marque aqui si puede trabajar como funcionario electoral.

If bilingual, indicate language. —
Check here if you can provide a polling place on election day. —
Marque aqui si puede brindar un centro electoral el dia de las elecciones.

Su estinataza: —
Serelia Describa —
Serelia Describa —
Serelia —
Sere Read and sign below. - Lea y firme a continuación. The state of the s Su elmaratas:
Check your language preference: — □ English □ Spanish
Marque el idioma de su preferencis: Español
□ Chinese □ Vietnamese □ Korean □ Tagalog □ Japanet
中文 Việt ngữ 만국어 Tagalog 田本語 Voter Signature - Firma del Votante Did someone help you fill out or deliver this form? _Alguien lo ayudo a completar o a entregar este formulario? I've. Sie sevon who helpe you must fill est and sign out perts of this grees box. — En caso de que hayo and axi, a perman que do suppos debe completar y finner ambase partes de este casiliero verde. 215888 130002

Important! To vote in the next election, you must mail or deliver this card at least 15 days before the next election. New voters who registes by mail may have to show their but at the polling place the first time they vote. Importanted "Pare voter or is primour election, debe envise per convole endinger esta trying at element 51 dates antes 64 is protime election, Los votentes nuesco que se inscribes por correo quick deban presentar su traying and elementacion en el centre fectoral la primare va que voten.

The bottom part is provided to the second of the second of

Org. name, address, and tel. (If any): — Numbre. dirección y número de teléfono de la organización (si corresponde): (This part is the voter's receipt. - Esta parte es el recibo del votante l Org. name, address, and tel. (If any):— Nambre, dirección y número de teléfono de la organización (si corresponde):

For Elections Information Contact: Deborah Seiler Registrar of Voters PO Box 85093 San Diego, CA 92186-5093 (858) 565-5800

Questions, problems or to report fraud: Contact the Secretary of State. Call: 1-800-345-VOTE (8683)

Email: elections@sos.ca.gov Web site: www.sos.ca.gov Or contact your county elections office. Para obtener información sobre las elecciones. comuníquese con el:

Deborah Seiler Registrar of Voters PO Box 85093 San Diego, CA 92186-5093 (858) 565-5800

Si tiene alguna pregunta, problema o desea informar un fraude:

Comuníquese con la Secretaría de Estado. Llame al: 1-800-345-VOTE (8683)

Dirección de correo electrónico: elections@sos.ca.gov Sitio web: www.sos.ca.gov

O comuníquese con la oficina electoral del condado.

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Voter Registration Eligibility Requirements

Qualifications:

You may register to vote in California if:

- 1. You are a United States citizen, and
- 2. You are a resident of California, and
- 3. You are at least 18 years of age (or will be by the date of the next election), and
- 4. You are not in prison or on parole for a felony conviction,* and
- 5. You have not been judged by a court to be mentally incompetent.



^{*}The law changed in 2012



Completing the Voter Registration Card

Personal Information:

- Name: Legal name required
- Home Address: This must be the address of residence.
 - No business addresses or P.O. Boxes.
 - If homeless, the applicant must provide a description (e.g. cross-streets) and mailing address in order to receive election materials.
- Mailing Address: Provide only if different from residence address.
- Date of Birth
- U.S. State or Foreign Country of Birth
- Driver License/Identification or last four digits of the Social Security number







Completing the Voter Registration Card

Political Party Preference:

Check only one political party (or none)

➤ If the applicant does not mark any box under #14 and it is left blank, they will automatically be given a "No Party Preference" status.

Vote by Mail (Optional)

Previously Registered: If previously registered and changing personal information, complete section #16 in addition to the personal information section, including name change.







Completing the Voter Registration Card

Sign and Date the Form:

- Unsigned forms will be returned to the applicant by the San Diego Registrar of Voters.
- If a person is unable to sign:
 - Voter must make a mark; a witness18 or over must write the voter's name next to the mark and write his/her own name in the appropriate box.
 - If a signature stamp is used, the voter must stamp and submit the VRC in front of an elections official.
- A power of attorney <u>CANNOT</u> be used for voter registration.







Processing Completed VR Cards

Agency staff should:

- Review each card to ensure it is complete and legible
- Give the applicant the VRC receipt.

Review:

- That applicant has answered Yes or No to the questions:
 - Are you a U.S. citizen?
 - Will you be 18 or older by the next election?
- Name and address of applicant
- Date of birth
- U.S. state or foreign country of birth
- Applicant completed Driver License/Identification or last fourdigits of Social Security number
- Applicant signed and dated the registration card







NVRA/SB 35 Training Processing Completed VR Cards

Date Stamping VRCs:

- Agency should date stamp completed VRCs the same day.
- > Stamp (or write) the date on the card below the postage area on the addressed side of the card.
- ➤ VRCs submitted to an agency on the last day to register (15th day before an election) are <u>timely</u> under the NVRA, even if the San Diego Registrar of Voters receives the VRCs after the deadline.





Voter Registration Card

- XX
- Voter registration agencies must accept the card if clients wish to return them to your office
- Always forward all completed VRCs to the San Diego Registrar of Voters
 - ➤ Do **NOT** destroy any completed cards;
 - ➤ Do **NOT** "flag" or mark completed VRCs
- Forms must be returned within 10 days, or 5 days if within 5 days of the voter registration deadline for an election.

TIP: Voter registration cards are self addressed with prepaid postage. It is recommended that you mail them every day!







Voter Registration Verification

How does a client know if the registration was accepted?

A Voter Notification Card (VNC):

- Will be mailed by the San Diego Registrar of Voters (ROV)
- ➤ Should be received within approximately <u>30 days</u> of submitting the voter registration card.
 - ➤ If the client does not receive a VNC in the mail, the client should contact the San Diego ROV.
 - Applicants are able to verify their voter registration status through the San Diego County Registrar of Voters website: www.sdvote.com







Voter Registration Services

- Voter registration services must be provided whether a transaction is in person, by phone, or through the internet.
 Consider developing protocols for each type of transaction.
- ➤ If an agency offers the opportunity to apply online for services, assistance, or to submit a change of address form online, the agency must allow the applicant to submit a voter preference form electronically and connect the applicant to the Secretary of State's online voter registration tool. Contact the SOS for assistance.

Link to California Online Voter Registration:

http://RegisterToVote.ca.gov/







County providers may record in **Anasazi**, on the **Demographic form**, if the client has been offered the National Voter's Registration Form.

Demographic Form		
Employ Status Comp Job 35+ hrs per week Living Arrangement House or Apartment		
Currently Pregnant? Yes No Unknown		
Number of children less than 18 years of age that the client cares for at least 50% of the time: 1 ■		
Number of adults 18 years or older that the client cares for at least 50% of the time:		
Education Bachelors Degree Religion: Catholic		
Military Service? OYes ONo ODecline OUnable to Answer Branch		
If 18, has client been offered the National Voter's Registration form? 🛛 💽 Yes 💮 No 💮 Declined		
Mother's First Name		
Alias(es)		
Last First MI		
There are no items to show.		
LEGAL INFORMATION		







Registrants with Disabilities (California Elections Code Sec. 2208)

Who May Register:

- Any person who has not been judged by a court to be mentally incompetent and additionally found "not capable of completing an affidavit of voter registration."
- Conservatorship alone does not make a person ineligible.
- A social worker or service coordinator should not make assumptions about a person's ability to register and vote based on the person's disability.







Registrants with Disabilities (42 USC 1973gg-5(a)(4)(B))

Assistance to Applicants

State funded programs primarily engaged in providing services to people with disabilities at the person's home must also provide voter registration services at their home.





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Beyond the NVRA Minimum:

- Add a "Register to Vote" button to the agency's homepage.
- Keep a supply of VRCs on public counters
- Display voter educational materials
- Order DVDs from the Secretary of State
- Seek assistance with staff training
 - > ACLU is available for trainings
 - ➤ Registrar of Voters is available to assist
- Check SOS monthly reports to see results







NVRA/SB 35

County of San Diego Registrar of Voters Contact Information:

County of San Diego Registrar of Voters

Phone: (858) 565-8500 - Website: http://www.sdvote.com

Voter Outreach:

Barbara Carr, Phone: (858) 571-4235

Email: <u>barbara.carr@sdcounty.ca.gov</u>

Registration Contact Information:

Cindy Wilder, Phone: (858) 495-5889

Email: cynthia.wilder@sdcounty.ca.gov







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Secretary of State Contact Information:

Secretary of State NVRA Website: http://www.sos.ca.gov/elections/nvra/

Voter Information: <u>www.sos.ca.gov</u>

Call (800) 345-VOTE (8683)

TDD Only: (800) 833-8683

NVRA Contact Information:

Phone: (916) 657-2166 - Fax: (916) 653-3214

Email: nvra@sos.ca.gov

Contact Information for persons with disabilities:

http://www.disabilityrightsca.org/pubs/PublicationsVoting.htm



